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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/783,437	KUBLER ET AL.	
	Examiner	Art Unit	
	HOANG-CHUONG Q. VU	2419	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 July 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *22-69* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *22-69* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *07/18/2008 & 10/20/2008*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claims 22-69 are pending and have been examined.

Priority

1. This application is a continuation of U.S. Serial No. 10/141,506 filed May 8, 2002, (Attorney Docket Nos. 14364US01 and DN37998XGB), now U.S. Patent No. 6,850,510 issued February 1, 2005, which is a continuation of U.S. Serial No. 09/037,535 filed March 10, 1998, now U.S. Patent No. 6,389,010 issued May 14, 2002, which is a continuation of U.S. Serial No. 08/539,817 filed October 5, 1995, now U.S. Patent No. 5,726,984 issued March 10, 1998.

Claim Objections

2. Claims 60-69 are objected to because of the following informalities: claims 60-69 recite “a machine-readable storage having stored thereon a computer program ...". Since the program is a computer program stored on the storage, Examiner suggests to replace "a machine-readable storage" with --- A computer-readable storage ---, and replace "machine" thereafter with --- computer---. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by

another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21 (2) of such treaty in the English language.

4. **Claims 22, 23, 26, 27, 34, 36-40, 43, 45-48, 52, 54, 55, 57-61, 64, 65, and 67-69** are rejected under 35 U.S.C. 102(e) as being anticipated by Kennedy, III et al (U.S Patent No. 5,734,981) referred hereafter as Kennedy.

Regarding claim 22, Kennedy discloses a communication system controller **(see Fig. 3; platform 18)** comprising: interface circuitry (see Fig. 3, 160) for exchanging, with an information transmission device **(Fig. 3, transceiver 164)**, at least one of information requesting setup of a call and parameters for configuring the information transmission device **(see col. 11 lines 28-33; 160 receives call delivery information reports from mobile units and passes the report to transceiver 160)**; at least one processor communicatively coupled to the interface circuitry (**see Fig. 3; processor 140 coupled to the data transceiver 160)**; and operational software executable by the at least one processor **(see col. 11 lines 35-37; operational software in the platform 18 and also see col. 11 lines 7-9; the processor 140 communicates with functioning platforms in the distributed platform 18)**, the operational software causing the at least one processor to produce the parameters for configuring the information transmission device based upon the information requesting setup of a call **(see col. 10 line 65 thru col. 11 line 2; response to reported call delivery information, platform 18 generates and delivers call back messages. Also see col. 12 lines 45-50; depending on the type of call delivery information,**

processor 140 perform additional processing to determine proper dial number and method to establish communications), the information transmission device thereby communicatively coupling one of a plurality of communication networks to another of the plurality of communication networks **(see col. 11 lines 45-51; links 170 in platform 18 couple the platform with PSTN 38 and other networks to allow callers desiring to place a call to mobile unit as shown in Fig. 1)**.

Regarding claim 23, Kennedy further teaches wherein the plurality of communication networks comprises a packet network **(see col. 11 line 66; data communication network 16)**.

Regarding claim 26, Kennedy further teaches wherein the packet network comprises a wireless network **(see Fig. 1; data network 16 includes satellite 32 which may utilize any frequency band of communications)**.

Regarding claim 27, Kennedy further teaches wherein the plurality of communication networks comprises a conventional telephone switching network **(see col. 6 lines 7-10)**.

Regarding claim 34, Kennedy further teaches wherein the operational software is capable of determining a routing for the requested call **(column 11, lines 35-40)**.

Regarding claim 36, Kennedy further teaches wherein the routing is based upon predefined call routing information **(see col. 12 lines 62-66; call routing using location information stored at the platform 18)**.

Regarding claim 37, Kennedy further teaches wherein the information requesting setup of a call comprises information related to telephony signals received by the information transmission device **(column 8, lines 1-10)**.

Regarding claim 38, Kennedy further teaches wherein the telephony signals received comprise at least one of dual tone multi-frequency (DTMF) signals, dial tone, a ring signal, on-hook, off hook, and call progress tones **(column 12, lines 35-42 and column 13, lines 2-6)**.

Regarding claim 39, Kennedy further teaches wherein the parameters for configuring the information transmission device comprise information related to telephony signals generated by the information transmission device **(col. 11 lines 1-3; platform generates and delivers call back messages directing mobile unit to call platform or caller; see col. 8 line 66 thru col. 9 line 3; the call is established in response to a call back message received from the platform)**.

Regarding claim 40, Kennedy further teaches wherein the telephony signals generated by the information transmission device comprise at least one of dual tone multi-frequency (DTMF) signals, dial tone, a busy signal, and a ringing signal **(column 13, lines 2-6; audible ring tone is generated by the ring tone generator 182 in the platform 18)**.

Regarding claim 43, Kennedy further teaches wherein the parameters for configuring the information transmission device comprise information related to at least one of a battery supply, over-voltage protection, ringing current, tone generation, tone

detection, two wire to four wire conversion, and test functionality **(262, 264, 265, FIG. 6, column 13, lines 6-12)**.

Regarding claim 45, Kennedy further teaches wherein the interface circuitry is capable of exchanging digitized voice information with the information transmission device **(see col. 11 lines 27-40 and lines 54-56; data transceiver receives call delivery thru the antenna 162 and passes it to the transceiver 164. this was done in the platform 18 wherein the platform supports voice calls or voice embedded with data or encoded data calls)**.

Regarding claim 46, Kennedy further teach wherein the communication system controller (Fig. 3; platform 18) and the information transmission device (Fig. 3. transceiver 164) are located within the same housing **(Fig. 3; transceiver 164 is integrated in the platform 18)**.

Regarding claim 47, Kennedy discloses a communication system controller **(see Fig. 3; platform 18)** comprising: interface circuitry **(Fig. 3, transceiver 164)** capable of providing configuration information **(see col. 11 lines 28-33; 160 receives call delivery information reports from mobile units and passes the report to transceiver 160)** to a system supporting the communicative coupling of one of a plurality of communication networks to another of the plurality of communication networks based upon the configuration information **(see col. 11 lines 45-51; links 170 in platform 18 couple the platform with PSTN 38 and other networks to allow callers desiring to place a call to mobile unit as shown in Fig. 1)**; storage capable of containing operational software **(see Fig. 3 168 and col. 11 lines 35-36)** and call

routing information **(see col. 11 lines 40-45; location information of mobile unit is stored at the platform 18)**; and at least one processor communicatively coupled to the interface circuitry **(see Fig. 3; processor 140 coupled to the data transceiver 160)**, the at least one processor capable of accessing the operational software **(see col. 11 lines 35-37; operational software in the platform 18 and also see col. 11 lines 7-9; the processor 140 communicates with functioning platforms in the distributed platform 18)** and call routing information **(see col. 11 lines 40-45; location information of mobile unit is stored at the platform 18)**, the operational software functioning at least to cause the at least one processor to produce the configuration information based upon call setup information and the call routing information **(see col. 10 line 65 thru col. 11 line 2; response to reported call delivery information, platform 18 generates and delivers call back messages. Also see col. 12 lines 45-50; depending on the type of call delivery information, processor 140 performs additional processing to determine proper dial number and method to establish communications)**.

Regarding claim 48, Kennedy further teaches wherein the plurality of communication networks comprises a packet network **(see col. 11 line 66; data communication network 16)**.

Regarding claim 52, Kennedy further teaches wherein the plurality of communication networks comprises a conventional telephone switching network **(see col. 6 lines 7-10)**.

Regarding claim 54, Kennedy further teaches wherein the call setup information is received via one of the plurality of communication networks **(column 5, lines 65-67; receive all delivery information via the data communications network 16)**.

Regarding claim 55, Kennedy further teaches a network interface **(170, FIG. 3)** adapted to communicate using a wired network **(col. 11 line 12 or landline in col. 5 line 14)**.

Regarding claim 57, Kennedy further teaches wherein the call setup information is received via the wired network **(col. 12, lines 36-50)**.

Regarding claim 58, Kennedy further teaches wherein the call setup information comprises a destination address **(col. 12 lines 39-45)**.

Regarding claim 59, Kennedy further teaches wherein the call routing information comprises at least one association of a destination address (**224, FIG. 5, column 13, lines 47-51, 55-57)** and a call route **(226, FIG. 5, column 13, lines 57-60)**.

Regarding claim 60, Kennedy discloses a machine-readable storage having stored thereon a computer program having a plurality of code sections **(see Fig. 3 168 and col. 11 lines 35-36)**; for implementing a communication system controller **(see Fig. 3; platform 18)**, the code sections executable by a machine for causing the machine to perform the operations comprising: storing routing information received from a user at a first location **(see col. 5 line 65 thru col. 6 line 2; receives call delivery information reports from mobile units and stores the call delivery information)**; accepting a call setup request from the user via one of a plurality of communication networks **(see col. 6 lines 6-26; platform 18 receives a call and facilitates the call thru one of the**

networks such as PSTN land-line or cellular), the call setup request comprising a destination address corresponding to a second location **(see col. 6 lines 23-25; call request for mobile 12 from callers 36, 40)**; determining routing information based upon at least one of the call setup request **(see col. 12 lines 45-61; determining routing information depends on the type of call delivery information retrieved from the memory)** and the stored routing information for the first user **(see col. 11 lines 40-45; location information of mobile unit is stored at the platform 18)**; generating configuration information using at least one of the call setup request and the routing information **(see col. 10 line 65 thru col. 11 line 2; response to reported call delivery information, platform 18 generates and delivers call back messages. Also see col. 12 lines 45-50; depending on the type of call delivery information, processor 140 perform additional processing to determine proper dial number and method to establish communications)**; and providing the configuration information to a device **(see col. 12 lines 55-57; call back message is delivered to mobile unit 12)** capable of communicatively coupling the user via one of a plurality of communication networks to the second location via another of the plurality of communication networks in order to establish the requested call **(see col. 11 lines 45-51; links 170 in platform 18 couple the platform with PSTN 38 and other networks to allow callers desiring to place a call to mobile unit as shown in Fig. 1)**.

Regarding claim 61, Kennedy further teaches wherein the plurality of communication networks comprises a packet network **(see col. 11 line 66; data communication network 16)**.

Regarding claim 64, Kennedy further teaches wherein the packet network comprises a wireless network **(see Fig. 1; data network 16 includes satellite 32 which may utilize any frequency band of communications)**.

Regarding claim 65, Kennedy further teaches wherein the plurality of communication networks comprises a conventional telephone switching network **(see col. 6 lines 7-10)**.

Regarding claim 67, Kennedy further teaches wherein the determining comprises: determining whether routing information corresponding to the destination address is available using the stored routing information and the destination address **(column 14, lines 9-19)**; prompting the user for routing information **(258, FIG. 6)**, if routing information corresponding to the destination address is not available **(column 14, lines 36-40)**; and refraining from prompting the user, if routing information corresponding to the destination address is available **(column 14, lines 55-57)**.

Regarding claim 68, Kennedy further teaches sending to the second location **(42, FIG. 1)** a call setup request **(226, FIG. 5, column 13, lines 57-61)**.

Regarding claim 69, Kennedy further teaches receiving from the second location **(42, FIG. 1)** acceptance of a call setup request **(column 13, lines 62-67, column 14 lines 1-4)**.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. **Claims 24-25, 28-33, 41,44, 49-51,53, 56, 62-63, and 66** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kennedy, III et al. (5,734,981) in view of Henley et al. (5,526,353).

Regarding claims 24-25, 50-51, and 62-63, Kennedy discloses all the subject matter of the claimed invention as recited in claims 23, 48, and 61 respectively without explicitly teaches wherein the packet network communicates using an Internet protocol (IP) which comprises transmission control protocol (TCP)/Internet protocol (IP). Henley et al disclose a system and method for communication of audio data over a packet-based network. The teaching recite Transmission Control Protocol/Internet Protocol (TCP/IP) is one of the supported network and transport protocols **(column 4, lines 6-7)**. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention was made to modify the teaching of Kennedy to include TCP/IP as a transport protocol in the call delivery system as taught by Henley et al. One is motivated

as such to employ error and flow control in order to realize significant loss of throughput in packet retransmissions (**column 4, lines 7-14)**.

Regarding claims 28, 53, and 66, Kennedy discloses all the subject matter of the claimed invention as recited in claims 27, 52, and 65, respectively without explicitly teach the conventional telephone switching network communicates using analog signals. However, Henley et al. from the same or similar field of endeavor teach a communication system supporting audio data over a packet-based network consisting a telephone set interface (TSI) that accepts analog signal from the telephone instrument **(column 9, lines 51-54)**. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention was made to modify the teaching of Kennedy to employ the use of analog signals as a form of communication in the conventional telephone switching network as taught by Henley et al. One is motivated as such to restore the digitized sample and convert it into an analog voltage for reproduction in the telephone instrument **(column 10, lines 18-23)**.

Regarding claims 29-30, and 56, Kennedy discloses all the subject matter of the claimed invention as recited in claims 22 and 55 respectively above. Although Kennedy discloses a packet network interface (Fig. 3; interface 160 in the platform 18 is capable of communicating embedded/interleaved data thru data communication network 16 shown in Fig. 1), Kennedy does not explicitly teach a packet network interface for communicating using a packet protocol wherein the packet protocol is compliant with an Ethernet protocol. However, Henley et al. from the same or similar field of endeavor teach using a system and method for communication of audio data

over a packet-based network. Henley et al recite a preferred embodiment is directed to Ethernet environment where each node in the computer network is designated by a specific address **(column 6, lines 15-21)**. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention was made to modify the teaching of Kennedy to make the packet protocol compliant with an Ethernet protocol. One is motivated as such to enable each packet assembly circuit the ability to determine the routing of the audio data through the network with a packet-based transmission protocol **(column 6, lines 27-31)**.

Regarding claims 31 and 49, Kennedy discloses all the subject matter of the claimed invention as recited in claims 29 and 48, respectively without explicitly teach the packets exchanged via the packet network interface comprise digitized voice information. However, Henley et al. from the same or similar field of endeavor teach a telephone server that's capable of providing digital service of audio data from the Ethernet physical layer **(column 9, lines 36-40)**. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention was made to modify the teaching of Kennedy to have the packets exchanged via the packet network interface comprising digital voice information. One is motivated as such to provide full ISDN communication to the central office trunk lines, subsequently allowing WAN via ATM **(column 8, lines 60-63)**.

Regarding claim 32, Kennedy further teaches wherein the packets exchanged via the packet network interface comprise non-voice data **(see col. 11 lines 54-55; the platform 18 supports fully encoded data calls)**.

Regarding claim 33, Kennedy further teaches wherein at least a portion of the non-voice data is unrelated to the exchange of digitized voice information **(see col. 11 lines 25-25; data messages)**.

Regarding claim 41, Kennedy discloses all the subject matter of the claimed invention as recited in claim 22 above without explicitly teach wherein the parameters for configuring the information transmission device comprise information related to the conversion of digitized voice information into an analog voice signal, and an analog voice signal into digitized voice information. However, Henley et al from the same or similar field of endeavor teach a system and method for communication of audio data over a packet-based network. The system according to the embodiment consist of a decompression/analog conversion circuit for converting a stream of digital audio data to analog audio signal **(column 7, lines 27-31)** and a digital compression circuit for converting analog audio signal into a stream of digital audio data **(column 7, lines 19-21)**. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention was made to modify the teaching of Kennedy to have the parameters for configuring the information transmission device comprised information related to the conversion of digitized voice information into an analog voice signal, and an analog voice signal into digitized voice information as taught by Henley et al. One of ordinary skill in the art would have motivated as such to compensate for jitter in a computer network in order to provide high fidelity transmission of audio data through the network (column 4, lines 66-67).

Regarding claim 44, Kennedy discloses all the subject matter of the claimed invention as recited in claim 22 above without explicitly teach reducing the quantity of digitized voice information exchanged via the information transmission device, by changing the packetization of digitized voice information when voice activity on one of the plurality of communication networks falls below a predetermined level. However, Henley et al from the same or similar field of endeavor teach a system and method for communication of audio data over a packet-based network. It is disclosed the system further comprises a decimation circuit for deleting audio data from a designated location of the buffer to shorten the portions of the stream of audio data in the buffer. The circuit addresses the problem when data are read from the buffer slower than they are written to the buffer **(column 5, lines 65-67 and column 6, lines 1-5)**. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention was made to modify the teaching of Kennedy to reduce the quantity of digitized voice information exchanged via the information transmission device by changing the packetization of digitized voice when voice activity on one of the plurality of communication networks falls below a predetermined level. One is motivated as such to ensure the buffer stays close to its predetermined length for efficient realignment of the audio data in the buffer (column 6, lines 11-14).

8. **Claim 35** is rejected under 35 U.S.C. 103(a) as being unpatentable over Kennedy (5,734,981) in view of Barak (5,764,741).

Regarding claim 35, Kennedy discloses all the subject matter of the claimed invention as recited in claim 34 above without explicitly teach wherein the routing is

determined based upon a cost of use of a communication network. However, Barak from the same or similar field of endeavor teaches wherein the routing is determined based upon a cost of use of a communication network **(see Abstract lines 2-8; determining routing based on the cost information in the routing database)**. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use routing cost in a routing database taught by Barak to determine which providers or networks to execute the call. One of ordinary skill in the art would have motivated to do so to select a least cost route for a call.

9. **Claim 42** is rejected under 35 U.S.C. 103(a) as being unpatentable over Kennedy (5,734,981) in view of Sharman (5,774,854).

Regarding claim 42, Kennedy discloses all the subject matter of the claimed invention as recited in claim 22 above without explicitly teach the parameters for configuring the information transmission device comprise information related to the buffering of digitized voice information for a predefined period of time to minimize gaps in an analog voice signal. However, Sharman from the same or similar field of endeavor teaches a text to speech system operating in real using an acoustic processor and a linguistic processor. Due to the computational time the linguistic processor requires to process data, future requests from the acoustic processor cannot be made. Thus gaps in the speech output often occur when the acoustic processor requests data from the linguistic processor. Sharman proposes a solution to overcome the gaps in data by adjusting the buffer for minimal of output data so that future requests can be supplied in a timely manner **(column 7, lines 39-48)**. Hence the propagation delay caused by the

linguistic processor is a factor affecting the adjustment in the buffer for desired optimal output. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention was made to modify the teaching of Kennedy to have the parameters configuring information related to the buffering of digitized voice information for a predefined period of time in order to minimize gaps in the analog voice signal as taught by Sharman. One is motivated as such to accurately halt the system based on the output in the event that an interruption occurs (abstract, column 2, lines 34-39).

Response to Arguments/Remarks

10. On pages 12-17 of Applicant's Response, Applicant argues that Kennedy does not teach or at least suggest "operational software executable by the at least one processor, the operational software causing the at least one processor to produce the parameters for configuring the information transmission device based upon the information requesting setup of a call, the information transmission device thereby communicatively coupling one of a plurality of communication networks to another of the plurality of communication networks..." as recited in claim 22. The Examiner respectfully disagrees with Applicant's argument because Kennedy teaches operational software executable by the at least one processor **(see col. 11 lines 35-37; operational software in the platform 18 and also see col. 11 lines 7-9; the processor 140 communicates with functioning platforms in the distributed platform 18)**, the operational software causing the at least one processor to produce the parameters for configuring the information transmission device based upon the information requesting setup of a call **(see col. 10 line 65 thru col. 11 line 2; response to reported call**

delivery information, platform 18 generates and delivers call back messages. Also see col. 12 lines 45-50; depending on the type of call delivery information, processor 140 perform additional processing to determine proper dial number and method to establish communications), the information transmission device thereby communicatively coupling one of a plurality of communication networks to another of the plurality of communication networks..." **(See col. 11 lines 45-51; links 170 in platform 18 couple the platform with PSTN 38 and other networks to allow callers desiring to place a call to mobile unit as shown in Fig. 1)**.

11. Applicant's arguments on pages 17-18 with respect to claim 35 have been fully considered but are moot in view of the new ground(s) of rejection.

12. On page 19 of the Applicant's Response, Applicant argues that the communication system controller and the information transmission device are not located within the same housing. However, in view of the presentation of the rejected claim 22 above, the communication system controller (fig. 3 platform 18) also includes the information transmission device (fig. 3 transceiver 164 located within the data transceiver 160 in turn within the platform 18).

13. On page 20 of the Applicant's Response with regards to claim 47, this claim recites limitations similar to claim 22; please see the reason addressed above for claim 22.

14. Applicant's arguments on pages 21-23 with respect to claim 60, Applicant argues that Kennedy fails to teach or suggest "… generating configuration information using at least one of the call setup request and the routing information;…" and "providing the

configuration information to a device capable of communicatively couple the user via one of a plurality of communication networks to the second location via another of the plurality of communication networks in order to establish the requested call". Examiner respectfully disagrees since Kennedy teaches "… generating configuration information using at least one of the call setup request and the routing information" **(see col. 10 line 65 thru col. 11 line 2; response to reported call delivery information, platform 18 generates and delivers call back messages. Also see col. 12 lines 45-50; depending on the type of call delivery information, processor 140 perform additional processing to determine proper dial number and method to establish communications)** and "providing the configuration information to a device **(see col. 12 lines 55-57; call back message is delivered to mobile unit 12)** capable of communicatively couple the user via one of a plurality of communication networks to the second location via another of the plurality of communication networks in order to establish the requested call" **(see col. 11 lines 45-51; links 170 in platform 18 couple the platform with PSTN 38 and other networks to allow callers desiring to place a call to mobile unit) (also see col. 12 lines 62 thru col. 13 line 2; call back message directs the mobile unit to call platform and the processor 140 connects the call from mobile unit with the call from caller 36).**

15. With regards to Applicant's remark on page 24, Examiner submits that Kennedy teaches the call back message which was generated by the platform **(col. 11 lines 1-2)** and sent to the mobile unit 12 **(col. 12 lines 55-57)** in response to reported call delivery information received by the platform **(col. 10 line 66 thru col. 11-2)**. The call back

message directs the mobile unit to call platform to establish call connection with caller 36 **(see col. 12 lines 62 thru col. 13 line 2)**. The teaching of Kennedy shows call delivery information report sent from mobile to platform 18 as equivalent to Applicant's information requesting setup of a call; and the call back message generated by the platform as equivalent to the configuration information as recited by Applicant. Thus, Examiner has shown the teaching of Kennedy as a prima facie case of anticipation.

16. **Examiner Note**: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in its entirety as potentially teaching of all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner. When reviewing a reference the applicants should remember that not only the specific teachings of a reference but also reasonable inferences which the artisan would have logically drawn therefrom may be properly evaluated in formulating a rejection. In re Preda, 401 F. 2d 825, 159 USPQ 342 (CCPA 1968) and In re Shepard, 319 F. 2d 194, 138 USPQ 148 (CCPA 1963). Skill in the art is presumed. In re Sovish, 769 F. 2d 738, 226 USPQ 771 (Fed. Cir. 1985). Furthermore, artisans must be presumed to know something about the art apart from what the references disclose. In re Jac0by, 309 F. 2d 513, 135 USPQ 317 (CCPA 1962). The conclusion of obviousness may be made from common knowledge and common sense

of a person of ordinary skill in the art without any specific hint or suggestion in a particular reference. In re Bozek, 416 F.2d 1385, 163 USPQ 545 (CCPA 1969). Every reference reties to some extent on knowledge of persons skilled in the art to complement that is disclosed therein. In re Bode, 550 F. 2d 656, 193 USPQ 12 (CCPA 1977).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HOANG-CHUONG Q. VU whose telephone number is (571) 270-3945. The examiner can normally be reached on Monday through Thursday 8:30 AM to 5:00 PM EST. and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, EDAN ORGAD can be reached on (571) 272-7884. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/H. V./ 10/24/08
Examiner, Art Unit 2419

/Salman Ahmed/

Examiner, Art Unit 2419